

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

Apr 09, 2025

SEAN F. McAVOY, CLERK

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

RODNEY PHILBECK,

Plaintiff,

v.

FORD MOTOR COMPANY,

Defendant.

No. 2:23-CV-00339-SAB

**ORDER DISMISSING
DEFENDANT'S AFFIRMATIVE
DEFENSE OF COMPARABLE
FAULT**

Before the Court is the parties' Stipulation for Voluntary Dismissal with Prejudice of Defendant's Comparative Fault Defense, ECF No. 31. The parties stipulate and request the Court dismiss Defendant's affirmative defense of comparable fault with prejudice, and without costs or attorney fees to any party. Pursuant to Fed. R. Civ. P. 41(a)(1)(A)(ii) and the joint wishes of the parties, the Court finds good cause to accept the stipulation and enter it into the record.

Accordingly, **IT IS HEREBY ORDERED:**

1. The parties' Stipulation for Voluntary Dismissal with Prejudice of Defendant's Comparative Fault Defense, ECF No. 31, is **ACCEPTED and ENTERED into the record.**

2. Defendant's affirmative defense of comparative default, the fourth affirmative defense, is **DISMISSED with prejudice** and without costs or attorney fees to any party.

**ORDER DISMISSING DEFENDANT'S AFFIRMATIVE DEFENSE OF
COMPARABLE FAULT # 1**

1 3. Defendant's Motion for Partial Summary Judgment, ECF No. 26, is
2 **DISMISSED as moot.**

3 **IT IS SO ORDERED.** The District Court Clerk is hereby directed to enter
4 this Order and to provide copies to counsel.

5 **DATED** this 9th day of April 2025.



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11 Stanley A. Bastian
12 Chief United States District Judge
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